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The right to education

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly, in accordance with Human Rights Council resolution 8/4, the report of the Special Rapporteur on the right to education, Kishore Singh.

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Report of the Special Rapporteur on the right to education

Summary

The present report is submitted pursuant to Human Rights Council resolutions 8/4 and 17/3. It is devoted to technical and vocational education and training from a right to education perspective. It highlights international obligations as well as political commitments to promote technical and vocational education and training. The report analyses norms and standards developed through international instruments, and underlines the importance of national-level normative action to maximize the contribution of technical and vocational education and training to empowerment and social and economic development.

The Special Rapporteur stresses specific characteristics of technical and vocational education and training as a right, and analyses evolving national legal and policy frameworks. He underlines the need to ensure quality in such education and training and the responsibilities of various stakeholders involved in its implementation. The report also addresses the importance of technical and vocational education and training in the post-2015 "Education for All" and development agendas and concludes with a set of recommendations.

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I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolutions 8/4 and 17/3. It is devoted to technical and vocational education and training from a right to education perspective.

2. Technical and vocational education is defined as "all forms and levels of the educational process involving, in addition to general knowledge, the study of technologies and related sciences and the acquisition of practical skills, know-how, attitudes and understanding relating to occupations in the various sectors of economic and social life".[1] For the purposes of this report, the term technical and vocational education is "those aspects of the educational process involving, in addition to general education, the study of technologies and related sciences, and the acquisition of practical skills, attitudes, understanding and knowledge relating to occupations in various sectors of economic and social life",[2] which "applies to all forms and levels of technical and vocational education provided in educational institutions or through cooperative programmes organized jointly by educational institutions, on the one hand, and industrial, agricultural, commercial or any other undertaking related to the world of work, on the other".[3] The Special Rapporteur further underlines that "apprenticeship" is also an important part of technical and vocational education and training.

3. The report highlights international obligations as well as political commitments for technical and vocational education and training. It analyses norms and standards developed through international instruments and underlines the importance of national-level normative action to maximize the contribution of technical and vocational education and training to empowerment and social and economic development. The Special Rapporteur stresses its specific characteristic as a right, and analyses evolving national legal and policy frameworks of technical and vocational education and training. He addresses the need to ensure quality in such education and training and the responsibilities of various stakeholders involved in its implementation. The report also addresses the importance of technical and vocational education and training in the post-2015 Education for All (EFA) and development agendas and makes a set of recommendations.

4. Since submitting his last report to the General Assembly (A/66/269), the Special Rapporteur on the right to education conducted country visits to Kazakhstan in September 2011 and Tunisia in May 2012. He presented his report on the visit to Kazakhstan along with his annual thematic report (A/HRC/20/21) to the Human Rights Council at its twentieth session in June 2012. Pursuant to the priorities identified in his initial report (A/HRC/17/29 and Corr.1), the Special Rapporteur has dedicated this annual thematic report to norms and standards for quality in education, taking into account national experiences in this regard and the views of United Nations agencies, international organizations and civil society organizations.

5. During the reporting period, the Special Rapporteur continued to participate in a number of public events on education and collaborate with States, international organizations and non-governmental organizations. In his statements and

[1] UNESCO Convention on Technical and Vocational Education (1989), article 1 (a).

[2] UNESCO, Revised Recommendation concerning Technical and Vocational Education (2001), annex, para. 2.

[3] UNESCO Convention on Technical and Vocational Education, article 1 (b).

interventions made at various forums, he consistently underlined the relevance of technical and vocational education.

6. In August 2011, the Special Rapporteur participated in the first World Summit of Peoples of African Descent, organized in La Ceiba, Honduras, in the context of General Assembly resolution 64/169 proclaiming 2011 the International Year for People of African Descent. In October, the Special Rapporteur participated in the Social Forum of the Human Rights Council, which was devoted to the right to development. In the same month, he participated in an event to launch the "Global Education Digest 2011, Focus on Secondary Education: The Next Great Challenge", organized by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in New York.

7. In February 2012, the Special Rapporteur addressed the inaugural session of the International Conference on "Emerging Concerns in International Law", organized in New Delhi by the Indian Society of International Law. In March, during the nineteenth session of the Human Rights Council, he participated in a side event entitled "Right to Education through Apprenticeship: A New Challenge?", organized by Apprentissages sans Frontières. In May, the Special Rapporteur participated in the Third International Congress on Technical and Vocational Education and Training in Shanghai, China, which examined ways of transforming technical and vocational education to be more responsive to contemporary social and economic needs. Also in May, he addressed the opening session of the Fourth International Policy Dialogue Forum: Teacher Challenges for Education for All, in New Delhi. In June, the Special Rapporteur gave the keynote address at the UNESCO International Forum on Post-Conflict Education, "Learning to Live Together", organized in Bishkek, Kyrgyzstan.

II. Importance of technical and vocational education and training

8. The knowledge, skills and competencies imparted by education are generally understood as primary vehicles for the empowerment of individuals and the promotion of social and economic development. Technical and vocational education and training is frequently recognized as being instrumental in confronting the challenges of unemployment and underemployment, both in developed and developing countries. Ensuring adequate and relevant technical and vocational education and training is central to responding to the diverse aspirations and needs of individuals and societies in a rapidly globalizing world. In this context, increased attention to such education and training is evidenced in all regions of the world, in appreciation of its potential to contribute to individual development and employability, as well as to stimulate economic and social development.[4]

[4] The importance of education, training and lifelong learning for social development and employment is recognized by International Labour Organization Recommendation No. 195 concerning Human Resources Development: Education, Training and Lifelong Learning (2004).

9. Technical and vocational education and training is seen "as a cornerstone for the transformation of education and training",[5] which is indeed crucial, given increasing concerns about rising unemployment, particularly among educated youth. As acknowledged by the World Bank, "The dynamic forces of the knowledge economy, accompanied by changing markets, scientific and technological advances, and increasing globalization and internationalization, call for a new face of skills and competencies".[6] In this context, enhanced attention must be paid to modernizing technical and vocational education and training curricula and to the quality of the education provided.[7]

10. International experience demonstrates that adapting to an increasingly diversified student population calls for providing various learning pathways, including in technical and vocational subjects.[8] New approaches to education and training are crucial to meet the demand for new skills in an increasingly knowledge- and skills-based society. Accordingly, technical and vocational education and training systems must respond to the demand for upgrading skills and the acquisition of new ones, which are instrumental in the creation of new employment opportunities. Such education and training can also stimulate creative skills and promote the arts. Concerns with environmental degradation, poverty eradication and sustainable development have motivated new approaches to technical and vocational education and training with consideration given to the promotion of skills required by the emerging "'green' economy".[9] In June 2012, the United Nations Conference on Sustainable Development also underscored the importance of supporting educational institutions to develop quality and innovative programmes, including technical and vocational training and lifelong learning, geared to bridging skills gaps in order to advance sustainable development objectives (A/CONF.216/L.1, para. 235).

11. As detailed below, many countries have adopted new laws, policies and strategies, recognizing the empowering role of technical and vocational education and training in people's lives and in socioeconomic development. "The 21st century's need for new skills to match advances in information, communication and technology has initiated the return of TVET to the international agenda",[10] as evidenced by multiple initiatives at national and international levels.

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[5] Q. Tang, "TVET for a Changing World: Global Developments, Local Resonance", *Norrag News*, No. 46 (2011), p. 14.

[6] Yoo Jeung Joy Nam, "Pre-Employment Skills Development Strategies in the OECD", *Social Protection & Labor* (World Bank, 2009), p. 3, para. 1.1.

[7] The Special Rapporteur addressed the need for a normative framework for quality in education in his last report to the Human Rights Council (A/HRC/20/21).

[8] See, e.g., the Netherlands Initiative for Capacity Development in Higher Education (NICHE), Strategy on Technical and Vocational Education and Training (2010).

[9] UNESCO, Shanghai Consensus: Recommendations of the Third International Congress on Technical and Vocational Education and Training, "Transforming TVET: Building Skills for Work and Life" (2012).

[10] NICHE, Strategy on Technical and Vocational Education and Training (2010), p. 2.

III. International and regional political commitments to promote technical and vocational education

12. At the international level, promotion of technical and vocational education and training includes fulfilling both the Education for All (EFA) agenda and the Millennium Development Goals. At the World Education Forum (2000), it was acknowledged that youth and adults are often denied access to skills and knowledge necessary for gainful employment. Meeting "basic learning needs", as defined by the World Conference on Education for All (1990) and emphasized by the EFA agenda,[11] is closely related to the promotion of technical and vocational education and training. Accordingly, the forthcoming EFA Global Monitoring Report will examine more extensively the EFA agenda in relation to youth and skill development.

13. The United Nations Millennium Declaration (2000) and the accompanying Millennium Development Goals provide a global agenda for reducing poverty and improving lives, including through the promotion of access to education. Millennium Development Goal 2, to achieve universal primary education, is an enabling factor for technical and vocational education and training. Millennium Development Goal 3, to promote gender equality and empower women, is relevant for technical and vocational education and training, namely, to eliminate gender disparity in primary and secondary education, and in all levels of education no later than 2015.

14. The central role of education in accelerating progress towards all Millennium Development Goals was recognized by the General Assembly in the context of the High-level Plenary Meeting on the Millennium Development Goals in 2010 (resolution 65/1, para. 71 (c)). Technical and vocational education and training is often regarded as a powerful tool in poverty reduction and development strategies, as it provides individuals with the requisite qualifications and skills to enable them to contribute to various sectors of the economy. "TVET is extremely suitable for contributing to national socioeconomic development and meeting the Millennium Development Goals through human resources development. When TVET curricula are focused on creating 'job-creators' (self-employed workers) rather than 'job-seekers', unemployment in developing countries can be reduced, thereby allowing developing countries to get closer to meeting the MDGs".[12]

15. A number of other recent international meetings have further underlined the importance of technical and vocational education and training today. The Ministerial Declaration of the High-level Segment of the substantive session of the Economic and Social Council in 2011 recognized that "Education and training should contribute to sustained, inclusive and equitable economic growth by developing requisite skills, in line with the labour market requirements and development needs of countries, taking into account the importance of gender equality and the empowerment of women in promoting sustainable development".[13] It also underlined the importance of "Encouraging the provision and mainstreaming of

[11] The sixth goal of Education for All is "Improving all aspects of the quality of education and ensuring excellence of all so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills".

[12] NICHE, Strategy on Technical and Vocational Education and Training (2010), p. 3.

[13] E/2011/L.28, para. 9 (a).

skills development and training in technical, technological and vocational schools, taking into account national and local development needs, and in cooperation with relevant economic actors".[14]

16. New directions on the changing landscape of technical and vocational education and training were provided recently at the Third International Congress on Technical and Vocational Education and Training, "Transforming TVET: Building Skills for Work and Life", organized by UNESCO and hosted by the Government of China in Shanghai from 14 to 16 May 2012. The outcome document[15] of that Congress provides new guidance to States on transforming technical and vocational education and training for green economies and societies in the light of climate change, and rising global unemployment and inequalities. It also recognizes the importance of adapting technical and vocational education and training programmes to rapidly changing labour market demands, economies and societies; of integrating technical and vocational education and training with information and communication technologies; and of developing mechanisms to promote the involvement of relevant stakeholders in the planning and implementation of these programmes.

17. A global strategic initiative on technical and vocational education and training has emanated from UNESCO, which adopted a five-year strategy for the sector in 2009.[16] Consequently, the work of UNESCO in this field has focused on the provision of upstream policy advice and related capacity development, and the clarification of the concept of skills development and improvement of monitoring. Moreover, in the same year, UNESCO partnered with the International Labour Organization (ILO), the World Bank, the Organization for Economic Cooperation and Development (OECD), the European Commission, the European Training Foundation and the Asian Development Bank to establish the Inter-Agency Group on Technical and Vocational Education and Training with the aim of coordinating activities in the technical and vocational education and training field, particularly in developing countries.

18. The importance of technical and vocational education and training is also recognized at the regional level; for example, it is considered a key issue in the African region.[17] The Strategy to Revitalize Technical and Vocational Education and Training (TVET) in Africa, presented at the Conference of Ministers of Education of the African Union in May 2007, underlines the need to modernize and harmonize TVET in Africa in order "to transform it into a mainstream activity for African youth development, youth employment and human capacity-building in Africa".[18] The African Union Summit on the theme "Accelerating youth empowerment for sustainable development" in 2011 also called for the accelerated use of technical

[14] E/2011/L.28, para. 9 (g).

[15] UNESCO, Shanghai Consensus: Recommendations of the Third International Congress on Technical and Vocational Education and Training (2012). See www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/pdf/outcomesdocumentFinalwithlogo.pdf.

[16] UNESCO, Decisions adopted by the Executive Board at its 181st session in 2009. See also K. King, "A Technical and Vocational Education and Training Strategy for UNESCO" (2009).

[17] "Promoting critical knowledge, skills and qualifications for sustainable development in Africa" was the main thrust of the Triennale of the Association for the Development of Education in Africa (Ouagadougou, February 2012).

[18] Meeting of the Bureau of the Conference of Ministers of Education of the African Union (Addis Ababa, 2007).

and vocational skills development to empower youth and promote entrepreneurship.[19] In West Africa, traditional apprenticeships are considered generally to offer the largest opportunity for acquiring employable skills in the informal sector.

19. In the Arab region, the lack of appropriately skilled young workers is reported to account for the prevailing unemployment among youth, especially educated youth.[20] The Regional Expert Meeting for the Arab States, organized in Muscat, Oman, in March 2012 in view of the Third International Congress on Technical and Vocational Education and Training, mentioned above, addressed the major challenges facing Arab States in the next decade for creating employment for the millions of people entering the labour market, and ensuring that job-seekers have both qualifications and appropriate skills and competences, which are currently lacking.

20. In the Asia-Pacific region, with almost two thirds (65 per cent) of the world's population of illiterate adults and with 40 per cent of those who remain out of school, daunting challenges remain in terms of quality of the education and skills, especially occupational skills, required for growth in today's society. At a UNESCO regional meeting on Education for All and the post-2015 global education development agenda organized in May 2012 in Bangkok, experts underlined the key importance of a human rights-based approach for equipping young people with the skills necessary in a changing world.

21. The Latin American region is also in search of innovative ways to harness the potential of technical and vocational education. According to an evaluation on recent trends in technical education in the region, "One of the greatest challenges facing vocational training and educational transformation in the region, while responding to the demands of the labour market and to local and national development is the organization of education and training circuits that open paths to employment for youth ... there is broad agreement in the region on the role of secondary education in the development of general and transversal competencies and knowledge".[21]

22. The Montego Bay Declaration, adopted at the Caribbean Conference on Technical and Vocational Education and Training in March 2012, recognizes the profound implications of technical and vocational education and training in the twenty-first century with radically different knowledge-based economies and societies in which such education and training represents an integral component of lifelong learning. The Declaration contains a set of recommendations to assist "in harnessing the power and potential of TVET in order to build and maintain a sustainable future for all in the Caribbean".[22]

23. While a diverse range of initiatives taken and declarations adopted at international and regional levels, such as those mentioned above, reflect important commitments of Governments, it is international treaties that form the normative

[19] African Union, Decisions adopted during the 17th African Union Summit, 2011, p. ii.

[20] "Arab Regional Agenda for Improving Education Quality (ARAIEQ)", Concept note (UNESCO, Beirut, 2011).

[21] C. Jacinto (ed.), *Recent Trends in Technical Education in Latin America*, UNESCO International Institute for Educational Planning (Paris, 2010), pp. 21 and 16.

[22] University of the West Indies/UNESCO, Montego Bay Declaration on Technical and Vocational Education and Training (TVET) in the Caribbean (2012), Preamble, para. viii.

backbone for technical and vocational education and training policies and programmes, and the legal framework for promoting normative action at the national level in line with State obligations.

IV. International norms and technical and vocational education and training

A. International human rights standards

24. State obligations regarding the provision of technical and vocational education and training as part of the right to education are established in international human rights instruments. Under human rights law, technical and vocational education in fact "forms an integral element of all levels of education".[23] The Universal Declaration of Human Rights stipulates, in article 26, that "Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit". That provision implies links between technical and vocational education and higher education.

25. The International Covenant on Economic, Social and Cultural Rights establishes the right to technical and vocational education and training as part of the rights to education and to work. In its General Comment No. 13 on the right to education, the Committee on Economic, Social and Cultural Rights has indicated that, whereas article 13 (2) (b)[24] of the International Covenant presents technical and vocational education as part of secondary education, article 6, paragraph 2, underscores that technical and vocational education has a wider role, helping "to achieve steady economic, social and cultural development and full and productive employment". Considering the empowering nature of education and its role in preparing for a world of work, the rights to education and to work are inextricably interrelated.

26. According to the Committee on Economic, Social and Cultural Rights, the right to technical and vocational education includes the following aspects: "(a) It enables students to acquire knowledge and skills which contribute to their personal development, self-reliance and employability and enhances the productivity of their families and communities, including the State party's economic and social development; (b) It takes account of the educational, cultural and social background of the population concerned; the skills, knowledge and levels of qualification needed in the various sectors of the economy; and occupational health, safety and welfare; (c) It provides retraining for adults whose current knowledge and skills have become obsolete owing to technological, economic, employment, social or other changes; (d) It consists of programmes which give students, especially those from developing countries, the opportunity to receive TVE in other States, with a view to the appropriate transfer and adaptation of technology; and (e) It consists, in the context of the Covenant's non-discrimination and equality provisions, of programmes which promote the TVE of women, girls, out-of-school youth,

[23] Committee on Economic, Social and Cultural Rights, General Comment No. 13 (1999), para. 15.

[24] "Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education".

unemployed youth, the children of migrant workers, refugees, persons with disabilities and other disadvantaged groups".[25]

27. Other international human rights treaties further emphasize the obligation to promote technical and vocational education and training. States have obligations to promote equal opportunities for women and men in education, training and lifelong learning under the Convention on the Elimination of All Forms of Discrimination against Women. As outlined by the Committee on the Elimination of Discrimination against Women, human rights-based technical and vocational education and training also implies that in tackling tacit discrimination owing to obsolete traditional gender roles, women and girls should be encouraged to choose non-traditional fields of education and careers, such as intensive technical and vocational education and training in traditionally male-dominated areas. That could contribute to eliminating barriers and facilitating professional reinsertion of girls who dropped out of school.[26] States have the obligation to elaborate policies aimed at promoting the access of girls and women to technical and vocational education and training,[27] with proactive measures, including temporary special measures, to encourage and facilitate their participation and to contribute to the elimination of discrimination.[28]

28. The Convention of the Rights of the Child establishes, in article 28 (b), that States shall "encourage the development of different forms of secondary education, including general and vocational education". The Committee on the Rights of the Child has stressed the importance of providing vocational training at the end of compulsory education at the age of 12.[29] It has also underlined the need to ensure the availability of vocational training opportunities for all children and adolescents[30] on an equal basis for boys and girls, with priority given to children from vulnerable groups and children who dropped out of (primary or secondary)[31] school.[32] The Committee has put focus on those children who "left school without certificates, enabling them to acquire competencies and skills in order to enhance their work opportunities".[33]

B. Other internationally agreed norms

29. Other international instruments offer a more detailed framework for the provision of technical and vocational education and training and the responsibility of States in this context. As already mentioned, a normative framework for technical and vocational education and training is laid down by the UNESCO Convention on Technical and Vocational Education. Technical and vocational education and training is also recognized as a right in a number of instruments adopted by the International Labour Organization. The most relevant in this regard is Recommendation No. 195 concerning Human Resources Development: Education,

[25] Committee on Economic, Social and Cultural Rights, General Comment No. 13 (1999), para. 16.
[26] CEDAW/C/ETH/CO/6-7 (CEDAW, 2011); CEDAW/C/DJI/CO/1-3 (CEDAW, 2011).
[27] CEDAW/C/LKA/CO/7 (CEDAW, 2011).
[28] CEDAW/C/ZMB/CO/5-6 (CEDAW, 2011); CEDAW/C/ETH/CO/6-7 (CEDAW, 2011).
[29] CRC/C/AGO/CO/2-4 (CRC, 2010).
[30] CRC/C/PRY/CO/3 (CRC, 2010).
[31] CRC/C/NER/CO/2 (CRC, 2009); CRC/C/COD/CO/2 (CRC, 2009).
[32] CRC/C/BHR/CO/2-3 (CRC, 2011); CRC/C/MNE/CO/1 (CRC, 2010); CRC/C/CMR/CO/2 (CRC, 2010); CRC/C/NGA/CO/3-4 (CRC, 2010).
[33] CRC/C/ARG/CO/3-4 (CRC, 2010).

Training and Lifelong Learning (2004). Through various ILO instruments, the realization of the right to education for all is directly linked with employment and decent work, and social development.[34]

30. A number of key features can be identified through the above-mentioned international instruments and are described in paragraphs 31 to 35 below.

31. That technical and vocational education and training forms an integral element of all levels of education is clearly emphasized in the UNESCO Convention on Technical and Vocational Education. Technical and vocational education and training ranges from lower and upper secondary to post-secondary education, extending to tertiary-level education. It also cuts across educational sectors (formal or school-based, non-formal or enterprise-based, and informal or traditional apprenticeship). The UNESCO Revised Recommendation concerning Technical and Vocational Education underscores, in paragraph 2 (a), technical and vocational education as: "an integral part of general education".

32. The need to ensure equality of opportunity and to pay particular attention to marginalized groups is emphasized by article 2 of the UNESCO Convention on Technical and Vocational Education. Article 2, paragraphs (3) and (4), establishes that "States shall work towards the right to equal access to technical and vocational education and towards equality of opportunity to study throughout the educational process"; and that "States shall pay attention to the special needs of the handicapped and other disadvantaged groups and take appropriate measures to enable these groups to benefit from technical and vocational education". Similarly, article 5 (h) of ILO Recommendation No. 195 concerning Human Resources Development: Education, Training and Lifelong Learning (2004) establishes the responsibility of States to "promote access to education, training and lifelong learning for people with nationally identified special needs, such as youth, low-skilled people, people with disabilities, migrants, older workers, indigenous people, ethnic minority groups and the socially excluded; and for workers in small and medium-sized enterprises, in the informal economy, in the rural sector and in self-employment".

33. The importance of technical and vocational education and training for lifelong learning is also well recognized. According to paragraph 2 (c) of the UNESCO Revised Recommendation concerning Technical and Vocational Education, technical education should be understood as "an aspect of lifelong learning and a preparation for responsible citizenship". The Recommendation further stipulates, in paragraph 6, that "technical and vocational education should exist as part of a system of lifelong learning adapted to the needs of each particular country and to worldwide technological development". Likewise, ILO Recommendation No. 195 stipulates, in article 3 (a), that States should "facilitate lifelong learning and employability as part of a range of policy measures designed to create decent jobs, as well as to achieve sustainable economic and social development". According to article 4 (b) of the Recommendation, "the realization of lifelong learning should be based on the explicit commitment: by governments by investing and creating the conditions to enhance education and training at all levels; by enterprises in training their employees; and by individuals in developing their competencies and careers".

34. Based on experience and impact analysis, instruments may need to be reviewed and eventually adjusted so as to keep pace with evolving requirements of

[34] ILO, General Survey concerning employment instruments (Geneva, 2010), para. 111.

normative framework for technical and vocational education and training. This is foreseen in the UNESCO Revised Recommendation concerning Technical and Vocational Education (2001), which stipulates, in paragraph 100, that "Internationally recommended standards and norms should be continuously evaluated through sustained research on and monitoring of the effectiveness of their application in each country". The Shanghai Consensus, the recent outcome document of the Third International Congress on Technical and Vocational Education and Training suggested considering "the relevance and currency of UNESCO's Convention on Technical and Vocational Education (1989) and the Revised Recommendation concerning Technical and Vocational Education (2001), with a view to the possible development of new or revised normative instruments adapted to a changing world".

35. While recognizing the diversity of education systems and the need to promote the participation of multiple stakeholders in technical and vocational education and training, international instruments foresee the need to further develop normative frameworks to guide action in this regard. The UNESCO Convention on Technical and Vocational Education, in its preamble, deems it desirable "to develop common guidelines in technical and vocational education" considering that, in many countries, similar objectives are pursued and similar problems arise.[35] Similarly, ILO Recommendation No. 195, in paragraph 5 (a), encourages States to "define, with the involvement of the social partners, a national strategy for education and training, as well as establish a guiding framework for training policies at national, regional, local, and sectoral and enterprise levels". These guiding frameworks, with national laws and policies as a bulwark, can enrich national normative frameworks.

V. National legal and policy frameworks for technical and vocational education and training

36. International human rights treaties lay down obligations for accepting States which they must incorporate into domestic legal order. States parties to the UNESCO Convention on Technical and Vocational Education undertake to apply it "in accordance with the constitutional provisions and legislation of each Contracting State" (article 1, paragraph (c)).[36] Article 2, paragraph 2, of the Convention provides that "The general framework for the development of technical and vocational education shall be determined in each Contracting State by appropriate legislation or other measures". National laws and regulations, such as those described in this section, show the importance of developing the requisite legal framework for technical and vocational education and training to ensure its progressive availability to all.

[35] At the time of their adoption, the standards laid down in the ILO Convention were considered "pilot standards" on the contribution of vocational guidance and training (ILO, General Survey concerning employment instruments (Geneva, 2010), para. 110).

[36] Article 2, paragraph 1, also provides that "The Contracting States agree to frame policies, to define strategies and to implement, in accordance with their needs and resources, programmes and curricula for technical and vocational education designed for young people and adults, within the framework of their respective education systems, in order to enable them to acquire the knowledge and know-how that are essential to economic and social development as well as to the personal and cultural fulfilment of the individual in society".

37. Various instruments and strategies exist on technical and vocational education and training, the most relevant today being the UNESCO Revised Recommendation concerning Technical and Vocational Education (2001). The General Conference stipulated, in the related resolution, that "when developing and improving technical and vocational education, Member States should take whatever legislative or other steps may be required to give effect, within their respective territories, to the principles set forth in this Recommendation". As for strategies, one can mention the Strategy to Revitalize Technical and Vocational Education and Training (TVET) in Africa (2007), which recognizes that "the major reforms concern the setting up of national training bodies, and the enactment of laws to strengthen national vocational training programmes".

A. National legal frameworks

38. Technical and vocational education and training can become elevated when provided as a constitutional right. For example, the Constitution of Morocco (as amended in 2011) provides for the right to modern education of quality and professional training in order to meet market demands (article 31).

39. Foundations of technical and vocational education and training in national laws and policies must be strengthened. National legal frameworks developed in many countries bear testimony to the importance attached to this field.

40. In Australia, the apprenticeship system involves a legal contract between the employer and the apprentice, and provides a combination of school-based and workplace training.

41. In Austria, apprenticeship training/technical and vocational education and training is organized in a dual education system, regulated by the Vocational Training Act,[37] in which company-based training of apprentices is complemented by compulsory part-time vocational school for apprentices.[38] The Austrian Vocational Training Act also establishes joint training systems aimed at specialized companies desiring to train apprentices.[39]

42. In Germany, the Vocational Education and Training Act (2005) establishes the framework for vocational training.[40] The Act regulates the vocational training system and establishes different responsibilities for the State, the unions, associations and chambers of trade, and industry. As in Austria and Switzerland, technical and vocational education and training is considered a dual system in Germany because vocational training is conducted in two places of learning — companies and vocational schools, with statutory regulations and within the framework of enterprises' agreement.[41]

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[37] See www.en.bmwfj.gv.at/Vocationaltraining/Apprenticeshipsandvocationaltraining/Seiten/default.aspx.

[38] See www.bmukk.gv.at/enfr/school/secon/app.xml.

[39] Yoo Jeung Joy Nam, 'Pre-Employment Skills Development Strategies in the OECD", *Social Protection & Labor* (World Bank, 2009), p. 48.

[40] Other important legislation includes the Regulation on Craft Trades; the Regulation on Trainer Aptitude; the Safety at Work for Young Workers Act; the Works Council Constitution Act; the Aid for Further Training for Advancement Act; and the Distance Learning Courses Act.

[41] U. Hippach-Schneider, M. Krause and C. Woll, "Vocational education and training in Germany: Short description", Cedefop Panorama Series, No. 138 (2007), p. 25 ff.

43. In the Republic of Korea, technical and vocational education and training is largely developed and run by the State, although there are diverse laws and regulations that provide for industrial training. The Industrial Education Promotion Act, the Vocational Education and Training Promotion Act, and the Framework Act on Qualifications form the legal basis on which vocational education is shaped and administered.[42] In April 2007, the Government changed its terminology from vocational high schools to professional high schools, thereby facilitating the entry of professional high school graduates to colleges and universities.[43] In this context, professional high schools — private and public — operate according to similar rules.

44. In China, the 1996 Vocational Education Law and the State Council's 2002 Decision on Vigorously Promoting the Reform and Development of Vocational Education and Training provide the basis for the technical and vocational education and training system. At the 2005 National Conference on Vocational Education and Training, the State Council issued the Decision on Accelerating the Growth of Vocational Education and Training as a guideline for technical and vocational education and training development during the eleventh five-year period (2006-2010).[44] Following compulsory education, a national examination determines entry into either a vocational or a general education track, with better results required for the general track. In 2010, more than 20 million students were reported to be in the vocational track.[45]

45. In Viet Nam, with the Vocational Training Law of 2006, a new three-tier qualification structure was introduced: (a) vocational elementary level provided in vocational training centres; (b) vocational secondary level provided in secondary vocational schools; and (c) vocational diploma level in vocational colleges.[46]

46. In Brazil, as a result of a number of initiatives at federal, State and municipal levels, opportunities for technical and vocational education and training have expanded rapidly over the last decade. In this process, a federal system for technical education was established through Law No. 11.892 in 2008. The law provides a regulatory framework for the establishment and functioning of technical schools. Additionally, Law No. 12.513 of 2011 established the National Programme for Access to Technical Education and Employment. The Programme regulates the federal support for the expansion of technical schools and the offer of fellowships to students at secondary level and workers, including those benefiting from cash transfer schemes. Technical schools are integrated into the rest of the education system, providing both secondary education as well as training for workers with various qualification levels. While recognizing the need to consider economic opportunities for students, a guiding document for the establishment of an integrated policy for technical education in Brazil[47] emphasizes the importance of preventing

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[42] OECD, "Learning for Jobs: OECD Reviews of Vocational Education and Training, Republic of Korea" (May 2009), p. 11.

[43] Ibid., p. 13.

[44] Yan Hao, "China's Vocational Education and Training: the Next Key Target of Education Promotion", East Asian Institute Background Brief No. 516, p. 1.

[45] OECD, "Learning for Jobs: OECD Reviews of Vocational Education and Training, Options for China" (2010), p. 15.

[46] *Technical and Vocational Education and Training (TVET) in Vietnam, A Brief Overview: Internal Working Material of "Promotion of TVET in Vietnam"* (2008).

[47] Ministério da Educação, "Educação profissional técnica de nível médio integrada ao ensino médio — Documento Base" (Brazil, 2007).

investments in education to be simply driven by immediate market demands. It also indicates that technical education should combine the development of particular skills with broad education goals, including by promoting democratic processes within schools.

47. In France, Law No. 2005-380 on orientation and programme for the future of school aims to reduce educational disparities by establishing common-core competences and by ensuring more individualized paths of acquiring competencies (i.e., an individual contract of educational success — *contrat individuel de réussite éducative*). In September 2009, the professional diploma (*baccalauréat professionnel*) was reformed, and the vocational diploma (*baccalauréat*) has been brought in step with the general and technological diplomas. Studies for vocational examinations can be undertaken within the school system in vocational high schools (*lycée professionnel*) or through apprenticeships.

48. In Italy, Law No. 133 of 2008 aims at the rational and effective use of funds in education and training, as part of the reform of the education system.[48]

49. In Malaysia, the Human Resources Development Act of 1992[49] establishes public-private partnership in technical and vocational education and training. In 1993, the Malaysian Human Resource Development Fund was created, which is funded through taxes levied on employers, with the aim of enhancing the role of private industry in providing technical and vocational education and training as a complement to State efforts to increase the pool of the trained, skilled workforce in the country. Resources provided through this fund must be spent on encouraging development and growth of employees' skills. The Act was considered to be instrumental in promoting increased enterprise training among all firms, but especially among medium-sized companies.[50]

50. The key importance of the national legal framework for technical and vocational education and training is indicated by the fact that countries having operational technical and vocational education and training systems (for example, Australia, Austria, Brazil, China, Germany, the Republic of Korea and Switzerland) also have an elaborate and effective legal and regulatory framework and mechanisms for stimulating and channelling such education and training to skills development and human development.

B. Policies and reforms of technical and vocational education and training systems

51. The need for further development of existing norms and standards for technical and vocational education and training, is also articulated, with legislation, in national policies and plans introducing reforms in technical and vocational education and training. Such reforms should take into account some key elements such as: multi-purpose secondary education offering diversified and skills-based curricula linking education to the world of work; facilitating pathways between technical and vocational education and training and higher education, with higher

[48] ILO, General Survey concerning employment instruments (Geneva, 2010), para. 120.

[49] See www.mylabourlaw.net/reference/5-human-resources-development-act-1992.php.

[50] H. Tan, "Malaysia's Human Resource Development Fund: An Evaluation of Its Effects on Training and Productivity" (World Bank, 2005).

education institutions offering flexible admission and programmes for professional specialization; improving quality of teaching materials and introducing curriculum reforms; and expanding the availability of opportunities for technical and vocational education and training within the education system, workplaces or the community at large. Special efforts should be made to ensure that national technical and vocational education seeks to meet international standards.

52. Technical and vocational education and training systems in a number of African countries are undergoing or have undergone reforms, with a number of countries adopting national policies and strategies for technical and vocational education and training (e.g., Burkina Faso, the Gambia, Ghana, Mali, the Niger, Nigeria and Senegal).[51] The African Union recommended promoting the integration of non-formal learning methodologies and literacy programmes into national technical and vocational education and training programmes, given that vast numbers of young people are outside the formal school system.[52]

53. In recent years, several countries have also invested in skills development programmes aiming at contributing to the empowerment of young people and providing them with sustainable livelihoods that can lead to the establishment of personal business.[53] For example, India has developed an ambitious National Policy on Skill Development, with a target of 500 million skilled workers by 2022. In Belgium, the Vocational Education Service (Flemish Community) aims to create the best possible qualification and development opportunities for individuals in vocational education as part of lifelong and life-wide learning. On the other hand, Ghana, Senegal and Swaziland, for example, have incorporated basic vocational skills into the lower or junior secondary school curriculum in an attempt to expose young people to pre-employment skills.[54] In Poland, the vocational training system has been reformed to improve the quality of vocational training and adapt the educational offer to the needs of a changing labour market.[55] Similarly, in Thailand, the vocational education system has been transformed and streamlined, creating pathways to tertiary education.[56]

54. Bringing about transformation in technical and vocational education and training, an area of crucial importance, especially in regions where there is a predominance of informal economy at the national level, relates to linking vocations and trades to this sector.

55. It is also desirable that Governments streamline the technical and vocational education and training public institutional framework so as to coordinate national effort in this field better, in view of the fact that, within Governments, there are

[51] International Growth Centre, "Lessons for Developing Countries from Experience with Technical and Vocational Education and Training", Working Paper 11/1017 (2012), p. 29.

[52] Strategy to Revitalize Technical and Vocational Education and Training (TVET) in Africa, Meeting of the Bureau of the Conference of Ministers of Education of the African Union (Addis Ababa, 2007).

[53] Report on the implementation of the technical vocational education and training, Fifth ordinary session of the Conference of Ministers of Education of the African Union (Abuja, 2012), p. 8.

[54] Strategy to Revitalize Technical and Vocational Education and Training (TVET) in Africa, Meeting of the Bureau of the Conference of Ministers of Education of the African Union (Addis Ababa, 2007).

[55] Regulations of the Minister of National Education of 23 December 2008.

[56] Regulations, Commission of Vocational Education, 2009, *Royal Gazette*, vol. 129, chap. 56 (25 June 2012).

often shared and overlapping responsibilities for various elements of technical and vocational education and training among departments and agencies.

1. Promoting social perception of technical and vocational education and training

56. As in the case of the teaching profession, the social perception of technical and vocational education and training, especially in developing countries, is often negative; instead of being a coveted choice, vocational education is among the least sought after. Making such education and training better esteemed is indeed a challenging task. In order to make it more attractive, a system of prizes and awards in the field of technical and vocational education and training could be instituted for rewarding the best performing students, encouraging professionalism and excellence. This is done in China, for example. Incentives for students can be given through the creation of opportunities for the progression of technical and vocational education and training students to higher education (for instance, the 20-25 per cent best performing).

2. Essential objectives in the accomplishment of technical and vocational education and training

57. While underlining the importance of technical education when responding to multiple social and economic challenges, it is always relevant to stress that the essential objectives of technical and vocational education and training are very much the same as the overall objectives of education. These are expressed in article 3, paragraph 3, of the UNESCO Convention on Technical and Vocational Education: "Technical and vocational education programmes should meet the technical requirements of the occupational sectors concerned and also provide the general education necessary for the personal and cultural development of the individual and include, inter alia, social, economic and environmental concepts relevant to the occupation concerned".

58. Mahatma Gandhi's saying that "for a person to be truly educated, you had to have a united approach, by training the mind to think, the hands to acquire skills and the heart, for human values and ethics" provides a good illustration of the mission of education, and the place of technical and vocational education and training in the overall education system. Technical and vocational education and training should nurture innovative and creative skills, develop critical thinking and cultivate work ethics with a sense of social responsibility. Therefore, efforts to reform and establish national education and training strategies should aim at "the development of individuals as active citizens by helping them to acquire the knowledge, skills and capacities required to participate in all spheres of social and economic life".[57]

VI. Quality and technical and vocational education and training qualifications assessment systems

59. Widespread concerns about quality education centre on low learning achievement levels, and even usefulness of education for gainful employment. As such, the assessment of a student's acquisition of knowledge, skills and

[57] International Labour Organization, General Survey concerning employment instruments (Geneva, 2010), para. 125.

competencies for technical and vocational education and training is important. The UNESCO Revised Recommendation concerning Technical and Vocational Education (2001) stipulates that Member States should, through the exchange of good practices and methods, aim to apply relevant and appropriate internationally recommended standards and norms relating to systems of assessment/evaluation; occupational qualifications and certification; and equipment and technical standards.

60. Similarly, ILO Recommendation No. 195 stipulates, in paragraph 11 (1), that "Measures should be adopted, in consultation with the social partners and using a national qualifications framework, to promote the development, implementation and financing of a transparent mechanism for the assessment, certification and recognition of skills, including prior learning and previous experience, irrespective of the countries where they were acquired and whether acquired formally or informally."

61. The adoption of national assessment systems for learning achievements on technical and vocational education and training and the establishment of national qualifications frameworks can provide coherence to technical and vocational education and training systems through the creation of equivalent qualifications across formal and informal sectors. In an endeavour to transform such education and training, countries in Latin America have adopted a competency-based approach, for example, the Occupational Competency Standardization and Certification Council in Mexico, the National Industrial Training Service in Brazil, and the National Training Service in Colombia.[58]

62. Similarly, in Africa, initiatives are being undertaken to establish national qualification frameworks.[59] The South African National Qualifications Framework provides a mechanism for awarding qualifications based on the achievement of specified learning outcomes prescribed by industry. It allows for accumulation of credits and recognition of prior learning, which promotes the culture of lifelong learning. Ghana has also recently passed an Act of Parliament that establishes the Council for Technical and Vocational Education and Training with overall responsibility for skills development in the country. Similarly, Mauritius has established a Mauritius Qualifications Authority in the technical and vocational education and training sector.

63. In developing national qualification frameworks, caution should be exercised so that the frameworks are not limited to technical competencies in technical and vocational education and training but also include social skills, values and attitudes, and are inspired by essential objectives of the right to education, mentioned above.

64. Qualification systems for connecting skills development and lifelong learning are also very important. The need for flexible and open learning and qualifications systems for technical and vocational education and training is associated with the recognition that learning takes place in multiple settings that go far beyond formal technical and vocational education and training. There is also need to bridge the divide between formal and non-formal/informal technical and vocational skills development. In line with ILO Recommendation No. 195, this can be done by

[58] C. Jacinto (ed.), "Recent trends in technical education in Latin America", UNESCO International Institute for Educational Planning (2010).

[59] For instance, the National Vocational Qualification Frameworks in Nigeria, or the National Skills Qualifications Framework in the Gambia.

"national qualification frameworks (NQF) and recognition of prior learning (RPL), with mechanisms and opportunities for the recognition and validation of experiential learning as well as rewarding and motivating all workers in the context of lifelong learning".[60]

65. Information and communication technologies have opened new paths to distance learning. As a result, technical and vocational education and training is also provided in a "virtual learning environment" by way of Internet-based education and training and e-learning and e-training initiatives. A multiplicity of learning sites and modes exist for delivering technical and vocational education and training. While such modes of delivery can provide for greater access to it, "online learning can also lead to deskilling of teachers through the fragmentation and segmentation of tasks. Moreover, providers of dubious quality are using Internet-based education and training simply to cut costs by undermining teachers' working conditions, particularly in off-shore provision".[61] This is an emerging issue which requires serious attention in the context of developments and policy reforms in technical and vocational education and training.

66. An essential prerequisite of quality technical and vocational education and training is to ensure the deployment and retention of qualified teachers. The provisions in the ILO/UNESCO Recommendation concerning the Status of Teachers (1966) are applicable to technical and vocational education and training, especially the provisions concerning preparation for the profession; continuing education, employment and career; the rights and responsibilities of teachers; conditions for effective teaching and learning; teacher salaries and social security; and emoluments and conditions of service. Instructors and teachers should possess the necessary qualifications, including advanced degrees and professional experience in related occupational fields. They should also have pedagogical skills and be motivated and committed to the profession. In this regard, mechanisms to ensure in-service training for teachers/educators in industry or enterprise, and continuing training in the use of information and communication technology, are especially necessary.

VII. Investment in technical and vocational education and training

67. In his last report to the General Assembly, the Special Rapporteur noted that budgetary provision for quality education was scarce, as almost the totality of resources assigned for education went to recurring expenditure, and he underlined the need for a paradigm shift to respond to quality imperatives (A/66/269, para. 55). He also called for expanding the base of financing quality education. In this regard, technical and vocational education and training should be given due consideration in view of its importance to socioeconomic development, and States should assume the primary responsibility for investing in technical and vocational education and training.[62]

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[60] Conclusions of the Association for the Development of Education in Africa, 2012 Triennale. See www.adeanet.org/triennale.

[61] Education International (EI), "Report of the EI Taskforce on Globalisation, the General Agreement on Trade in Services (GATS) and Vocational Education" (2007).

[62] See, e.g., ILO Recommendation No. 195 concerning Human Resources Development (2004).

68. Too often, however, inadequate resources impede the advancement of technical and vocational education and training. Moreover, it usually requires specialized infrastructure and facilities, which place additional pressures on already limited resources. The Special Rapporteur witnessed this at first hand during his country visits to Kazakhstan (A/HRC/20/21/Add.1, paras. 33-38), Senegal (A/HRC/17/29/Add.2, paras. 44-50) and Tunisia, where budget allocations for technical and vocational education and training were deficient.

69. In most countries, technical and vocational education and training often falls under ministries responsible for education, labour or science, although some specific vocational training programmes (e.g., agriculture, health and transport) fall under the supervision of other line ministries. All concerned ministries and departments should have a role and responsibility for mobilizing resources for technical and vocational education and training.

70. In this context, it is important to recall that human rights law clearly establishes State obligations to finance education utilizing the maximum available resources. As the Special Rapporteur has consistently urged, giving effect to these obligations requires various legal and policy instruments to ensure that any investment in technical and vocational education and training is predictable and sustainable.

71. Owing to stagnating and even diminishing education budgets, it is necessary to look for alternative financing strategies and adopt innovative approaches for securing enhanced budgetary provisions for technical and vocational education and training. While recognizing that States bear the primary obligation to provide such education and training, it is also important to boost the increasing use of a diverse range of funding mechanisms and diversify financing sources for technical and vocational education and training. For example, a system of resource contribution by industry and private sector (e.g., a 2 or 3 per cent levy) for a technical and vocational education and training fund could be envisaged in order to leverage existing resources for national technical and vocational education and training programmes, in particular for technical equipment and facilities. States may wish to consider sharing, to the maximum extent possible, funding for technical and vocational education and training with industry and the private sector, with Government providing appropriate incentives to this end. "Government and the private sector should recognize that technical and vocational education is an investment, not a cost, with significant returns."[63]

VIII. Public-private partnerships

72. Although States carry the primary responsibility for technical and vocational education and training, in a modern market economy, new partnerships among Government, employers, professional associations, industry, employees and their representatives, the local community and non-governmental organizations have become necessary for policy design and delivery of technical and vocational education and training, in addition to its financing. In this context, the normative framework established by ILO is especially important.

[63] UNESCO Revised Recommendation concerning Technical and Vocational Education (2001), annex, para. 9 (e).

73. Any such partnerships must be anchored by human rights,[64] especially the international legal framework for the right to education. States have the overall responsibility for monitoring and ultimately ensuring the realization of human rights in all types of partnerships with industry and the private sector. However, experience in monitoring the implementation of relevant ILO instruments shows that "the involvement of local communities in the design of training programmes, as well as in the management and control of training institutions, has become a key element in their reforms of education systems".[65]

74. In public-private partnerships, good practices should be encouraged and the exchange of available experiences can be mutually beneficial in promoting national level action. For example, with the support mainly of Germany, the Uganda Association of Private Vocational Institutions has developed into a strong organization in providing services to its members. In Ethiopia, the expansion of technical and vocational education and training programmes was facilitated by the private sector, with the support of public authorities.[66] In India, the Centurion University of Technology and Management (Orissa) — the only State-enacted University in the private sector with its strong industrial linkage through its Social Entrepreneurship Outreach (Gram Tarang) and its focus on community — has excelled in providing skills to students from rural areas.[67]

IX. Institutionalized collaboration with enterprises

75. Institutionalized collaboration between technical and vocational education and training institutions and enterprises deserves foremost attention, given prevalent weaknesses in this area, especially in developing countries. Forging sustainable linkages between technical and vocational education and training institutions and enterprises is essential for making this education and training system better responsive to skill demands, as well as better capacitated for contributing to industrial development. The rich experience available in developed countries, in particular with respect to the dual system of apprenticeship training (in schools and in enterprises based on an agreed framework), is most pertinent to the developing world.

76. Institutionalized collaboration among technical and vocational education and training institutions and enterprises and industry can be established on the basis of an agreed framework covering areas such as: (a) systematic consultation with enterprises in establishing vocational trades in technical and vocational education and training studies, and in catering to their skill requirements; (b) obligatory apprenticeship of certain duration for students in enterprises as part of such studies; (c) association of industry and entrepreneurs with school management; (d) participation of enterprises and industry in financing technical and vocational education and training institutions/programmes; (e) training schemes for technical and vocational education and training instructors and teachers in enterprises to

[64] See, e.g., document A/HRC/17/31, annex, principles 8 and 13.

[65] ILO, General Survey concerning employment instruments (Geneva, 2010), para. 116.

[66] "Implementation issues of diversified financing strategies for TVET", Deutsche Gesellschaft für Technische Zusammenarbeit (2007), pp. 17 and 18.

[67] The Gram Tarang was recognized as the best skill provider in 2012 by India's National Skill Development Corporation.

enable them to enrich practical experience; and (f) provision of incentives (including tax incentives) to enterprises which contribute to the development of this education and training.

X. Technical and vocational education and training and the post-2015 education agenda

77. The EFA agenda, with its thrust for meeting basic learning needs, is inextricably linked to the promotion of technical and vocational education. However, such education has not received the attention proportional to its importance for the achievement of the EFA objectives. The Special Rapporteur has been encouraging reflections on the post-2015 education agenda, particularly focusing on ensuring quality in education; the promotion of technical and vocational education and training should be a central concern in this regard. He is a proponent of the view that the future agenda for education should build upon and consolidate developments in many countries, modernizing national legislation and providing for basic education of longer duration, namely, nine years, including general secondary education. These developments should include technical and vocational education and training-based quality learning in order to meet the critical challenges of an increasingly globalized economy.

78. The Special Rapporteur has also been advocating the need for according a higher place to education on the international development agenda. In that perspective, too, technical and vocational education and training must receive especial consideration in the process of renewed engagement for the Millennium Development Goals, recognizing the leverage it provides in accelerating progress towards those goals, in particular its contribution to poverty reduction strategies. During the recent 2010 review process, States have recognized that investing in vocational training is instrumental in promoting full and productive employment and decent work for all. States have also committed to give "greater focus to the transition from primary education and access to secondary education, vocational training and non-formal education and entry into the labour market" (resolution 65/1, para. 71 (i)).

XI. Conclusions and recommendations

79. **International human rights instruments clearly establish technical and vocational education and training as part of both the right to education and the right to work. Transmission of knowledge, skills and competences through technical and vocational education and training, empowering its beneficiaries to play their roles in social development as active citizens, is a collective responsibility, falling primarily to States.**

80. **An emerging consensus on the importance of technical and vocational education and training is confirmed by numerous initiatives taken in all regions of the world to introduce reforms in technical and vocational education and training systems while responding to quality imperatives in education. Such initiatives are thus propelled by a variety of skill requirements in rapidly changing of economies of the twenty-first century.**

81. **In this context, industry and the private sector are emerging as an important stakeholder in the provision of technical and vocational education and training. It is, however, clear that, from a right to education perspective, key responsibility devolves upon States. They remain not only providers of such education and training but also have a promotional as well as protective and facilitating role. Their responsibility is crucial for devising a comprehensive and high-quality technical and vocational education and training system that is respectful of human rights, in particular, the right to education.**

A. Principles

82. **A certain number of principles can guide State action in the establishment, expansion and consolidation of technical and vocational education and training systems.**

1. Principle of social justice and equity

83. **The principle of social justice, which is at the core of the global mission of the United Nations to promote development and human dignity, also underpins human rights. Social justice and equity are of perennial importance in terms of foundations not only of EFA but also of technical and vocational education and training-based approaches to poverty reduction strategies and the role of technical and vocational education and training in the context of the Millennium Development Goals. They are invaluable for bridging the widening gap between rich and poor and harnessing technical and vocational education and training for the common well-being.**

2. Principle of humanistic rather than mere utilitarian vision of education

84. **Today, the humanistic mission of education is being vitiated. Hence the critical importance of this principle, so that the system of education in general, and of technical and vocational education and training in particular, is inspired by a humanistic rather than a mere utilitarian vision of education.**

3. Principle of social interest in education and education as a public good

85. **Education should be central to the notion and concepts of global public goods and the intellectual commons which are increasingly being discussed in international forums. Education benefits both the individual and the society and its sanctity should be safeguarded by avoiding its mercantalization, geared towards commercial gains only. Education should be preserved as a public good so that it does not become devoid of social interest.**

4. Principle of equality of opportunity and access to education

86. **This is a fundamental principle enshrined in almost all United Nations human rights treaties, and it is of paramount importance in face of persistent disparities and growing inequalities in education. The system of technical and vocational education and training should admit of no discrimination or exclusion, and learning opportunities should be equally accessible to all.**

5. Principle of social dialogue, partnerships and participation

87. **This principle is crucial in devising and operationalizing the system of technical and vocational education and training, with the involvement of social partners and multiple stakeholders. It emanates from human rights law as also from ILO and UNESCO instruments relating to technical and vocational education and training.**

B. Recommendations

88. **In line with the above principles, and having looked extensively into technical and vocational education and training from a right to education perspective, the Special Rapporteur would like to offer the recommendations set out below.**

1. Ensure that technical and vocational education systems integrate overall education goals

89. **States should ensure that instead of remaining a separate stream, the technical and vocational education and training system is an integral part of general secondary education, with pathways leading to its pursuit at the tertiary level. Technical and vocational education and training should not only cater to the possible technical requirements of occupational sectors but also develop social skills and critical thinking, and it should be consistent with the right to education, laid down by the Universal Declaration of Human Rights and by the United Nations human rights treaties, as highlighted in the present report.**

2. Develop comprehensive legal frameworks for technical and vocational education and training

90. **States should adopt comprehensive legal frameworks in line with international norms and standards. Such frameworks should establish the roles and responsibility of various State and non-State actors involved in the provision of technical and vocational education and training, with consultation mechanisms for meaningful participation of all social partners and multiple stakeholders, including community and local bodies.**

91. **Such a legal framework could consider promoting public-private partnership, with policies and incentives encouraging the private sector to collaborate with public authorities. Moreover, institutionalized collaboration between technical and vocational education and training schools and industry and enterprises should be established.**

3. Regulate private providers of technical and vocational education and training

92. **In keeping with the UNESCO Revised Recommendation concerning Technical and Vocational Education, which, in its article 17 (c), provides that "all technical and vocational education programmes, including those offered by private bodies, should be subject to approval by the public authorities", the State should ensure that private providers of technical and vocational education and training conform to international and national norms and standards, and**

do not convert the technical and vocational education and training system into mere commercial ventures. Particular attention should be devoted to ensuring that a multiplicity of learning sites for delivery of technical and vocational education and training programmes in a "virtual learning environment" conform to quality standards, and are subjected to stringent control by public authorities, with sanctions in case of abusive practices.

4. Promote investment in technical and vocational education and training

93. **States should ensure that adequate and sustained financial support is available to technical and vocational education and training, recognizing the importance of national investment in this sector. In order to maximize resources available for technical and vocational education and training from diversified sources, States should devise mechanisms with necessary incentives for investments by industry, enterprises, and regional and local bodies. Resources for technical and vocational education and training should also be utilized optimally.**

5. Empower women and girls with equal access to technical and vocational education and training

94. **States should pay particular attention to the empowerment of women and girls in the provision of technical and vocational education and training, also encouraging them to choose non-traditional fields of education and careers. National policies should seek to eliminate gender stereotypes and barriers to the professional development of women.**

6. Make technical and vocational education and training equitably accessible to marginalized groups

95. **States should pay particular attention to making technical and vocational education and training accessible to marginalized and vulnerable groups, targeting in particular ethnic and linguistic minorities, persons with disabilities and migrants, and especially those living in poverty. Devoid of equitable approaches, technical and vocational education and training can accentuate prevailing inequities and deprivation to the detriment of the right to education for all. Promoting equity and inclusion through positive measures should be a key factor in the provision of technical and vocational education and training.**

7. Ensure quality in the provision of technical and vocational education and training

96. **States should ensure a high quality of technical and vocational education and training and adopt necessary quality norms and standards, along with a national qualifications framework and assessment systems for technical and vocational education and training, applicable uniformly throughout the country. They should also develop effective policies aimed at improving the quality of teaching and learning. Special consideration should be given to developing policies and frameworks for professionalizing technical and vocational education and training staff, and improving their status, working conditions and career perspectives, with particular attention to instructors in secondary level vocational schools.**

8. Put in place monitoring and evaluation mechanisms for technical and vocational education and training

97. **States should put in place monitoring and evaluation mechanisms for assessing the performance and quality of technical and vocational education and training, provided both by public and private entities. As recommended in the Shanghai Consensus, UNESCO, in consultation with Member States and other concerned organizations, should "explore the possibility of setting up an international task force to develop international guidelines on quality assurance for the recognition of qualifications, based on learning outcomes, and identify a set of world reference levels, to facilitate the international comparison and recognition of technical and vocational education and training qualifications".**

98. **States should provide support to civil society organizations in their role of promoting and monitoring technical and vocational education and training initiatives.**

9. Establish international technical cooperation for the promotion of technical and vocational education and training

99. **International cooperation, well established by human rights law and often reiterated in international political commitments for technical and vocational education and training, is particularly important for support to countries with feeble capacities in such education and training. International bodies such as UNESCO, ILO, UNICEF and the World Bank should be encouraged to continue their work in providing policy advice and support services. Along with development partners, they should provide technical assistance to governments in their efforts to develop technical and vocational education and training systems.**

10. Raise public debate for improving technical and vocational education and training and disseminating practical examples

100. **Public debate should be raised over critical issues in technical and vocational education and training and the right to education. Universities and education centres should support research for improving the system of technical and vocational education and training, and practical experiences in promoting it should be made widely known.**

11. Enhance the status and public image of technical and vocational education and training

101. **The status of technical and vocational education and training and its social perceptions that associate this type of education with students presenting low academic achievements must be transformed. Public authorities and civil society organizations should support campaigns to raise the attractiveness of this strategic educational sector.**